

### **REMARKS/ARGUMENTS**

These remarks are made in response to the Office Action of February 11, 2008 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Examiner is expressly authorized to charge any deficiencies to Deposit Account No. 50-0951.

#### **Claim Rejections – 35 USC § 103**

Claims 1, 3-4, 6-8, 10-13, 15-16, 18-20, and 22-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Published Patent Application 2003/0225600 to Slivka, *et al.* (hereinafter Slivka) in view of U.S. Published Patent Application 2003/0144867 to Campbell, *et al.* (hereinafter Campbell). Claims 5 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Slivka in view of Campbell, and further in view of U.S. Published Patent Application 2002/0133456 to Lancaster, *et al.* (hereinafter Lancaster). Claims 9 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Slivka in view of Campbell, and further in view of U.S. Published Patent Application 2002/0082878 to Boies, *et al.* (hereinafter Boies).

Although Applicants respectfully disagree with the rejections, Applicants have amended the claims so as to expedite prosecution of the present application by emphasizing certain aspects of the invention. However, such amendments should not be interpreted as the surrender of any subject matter, and Applicants expressly reserve the right to present the original version of any of the amended claims in any future divisional or continuation applications from the present application.

Applicants have amended independent Claims 1 and 12-13 to further emphasize certain aspects of the invention. As discussed herein, the claim amendments are fully supported throughout the Specification. No new matter has been introduced by the claim amendments.

### **Aspects of Applicants' Invention**

It may be helpful to reiterate certain aspects of Applicants' invention prior to addressing the cited references. One embodiment of the invention, as typified by amended Claim 1, is a method for re-accommodating passengers who are unable to travel on scheduled flights by an airline.

The method can include identifying passengers who must be re-accommodated; and for each identified passenger, obtaining passenger data and flight operations data. The passenger data can include frequent flyer status, remaining unflown ticket value, rebooking cost, passenger lifetime value, and customer relationship management data. The flight operations data can include flight schedule and seat availability on the airline and competitor airlines. See, e.g., Specification, paragraphs [0015], [0016], and [0020].

The method also can include processing the passenger data and the flight operations data based on a set of rules; displaying re-accommodation candidates as a result of the processing; and selecting passengers for re-accommodation from the re-accommodation candidates. The set of rules can include one or more rules for arranging the identified passengers according to a descending revenue impact to the airline, arranging the identified passengers according to passenger frequent flyer status, and/or arranging the identified passengers according to a lifetime value of each passenger. See, e.g., Specification, paragraphs [0019] and [0020].

### **The Claims Define Over The Prior Art**

Slivka discloses a method for re-accommodating a disrupted passenger associated with a disrupted travel service based on a determined passenger value. The factors used for determining the passenger value include a relationship of the disrupted passenger with the travel service provider, a class of service, a frequent flier status, a fare paid status, a group travel status, an international travel status, a VIP status, a physical condition, and an age associated with the disrupted passenger. However, Slivka does not disclose

passenger data including a remaining unflown ticket value, a rebooking cost, a passenger lifetime value, and customer relationship management data, as recited in independent Claims 1 and 12-13.

The "average cost of the passenger's travel history" as disclosed in [0035] of Slivka is not the same as a "remaining unflown ticket value" in the sense of the present invention. The remaining unflown ticket value is the value of the ticket for the flight that has not taken place and is to be re-scheduled, and thus does not belong to the travel history. Also, in Slivka, a PNR (passenger name record) refers to all records associated with a passenger. But Slivka does not mention that the records include a passenger lifetime value. Similarly, since Slivka does not specify what values are determined by a "process that determines values associated passengers based on one or more travel rules" (see paragraph [0024]), it is unreasonable to assume that the values include a passenger lifetime value.

It was stated on page 3 of the Office Action that Slivka does not disclose customer relationship management data. However, it was further stated in the Office Action that Campbell discloses customer relationship management data (Campbell: paragraphs 0046; 0050). Campbell discloses an integrated system for providing a centralized network for facilitating travel reservations and/or services. It is noted that the purpose of the Campbell system is to make travel reservations (not limited to flight), not to make flight re-accommodations. The system of Campbell would not be appropriate for flight re-accommodation because the Campbell system incorporates large amount of information that is not needed for flight re-accommodation and thus slows down the processing time which is critical in making flight re-accommodations. For example, the passengers who missed the connecting flights should be provided with alternative flights as soon as possible in order not to incur additional costs such as for meal and hotel accommodation. Taking into consideration of the above reasoning, it would not be obvious for a person

skilled in the art to incorporate customer relationship management data, which is usually a very large database, from a global reservation system to a system for re-accommodating flight passengers in a timely fashion.

Accordingly, the cited references, alone or in combination, fail to disclose or suggest each and every element of Claims 1 and 12-13, as amended. Applicants therefore respectfully submit that amended Claims 1 and 12-13 define over the prior art. Furthermore, as each of the remaining claims depends from Claim 1 or 13 while reciting additional features, Applicants further respectfully submit that the remaining claims likewise define over the prior art.

Applicants thus respectfully request that the claim rejections under 35 U.S.C. § 103 be withdrawn.

### **CONCLUSION**

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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